

2023-1027

**United States Court of Appeals
for the Federal Circuit**

CQV CO., LTD.,

Appellant,

v.

MERCK PATENT GmbH,

Appellee.

*Appeals from the United States Patent and Trademark Office,
Patent Trial and Appeal Board in Nos. PGR2021-00054*

**CORRECTED UNOPPOSED MOTION OF APPELLANT CQV CO., LTD.
FOR LEAVE TO WITHDRAW APPEARANCE OF ANDREW C. RYAN,
FOR LEAVE FOR NICHOLAS A. GEIGER TO ENTER APPEARANCE,
AND TO SUBSTITUTE NICHOLAS A. GEIGER AS PRINCIPAL
COUNSEL**

Nicholas A. Geiger
Cantor Colburn LLP
20 Church Street
22nd Floor
Hartford, CT 06103
(860) 286-2929
ngeiger@cantorcolburn.com

*Counsel for Appellant, CQV
Co., Ltd.*

April 4, 2024

Pursuant to Federal Circuit Rule 47.3(b)(4) and 47.3(c), Appellant CQV Co., Ltd. (“CQV”) seeks leave to withdraw the appearance of Andrew C. Ryan as Principal Counsel, for Nicholas A. Geiger of Canter Colburn LLP to enter an appearance as counsel for CQV for the purpose of presenting oral argument on behalf of CQV in this appeal, and to substitute Nicholas A. Geiger as principal counsel for CQV.

Mr. Ryan filed an Entry of Appearance in this case on October 25, 2022, in which Mr. Ryan was designated as the principal counsel for CQV. Mr. Ryan was the only attorney to file an Entry of Appearance on behalf of CQV. Mr. Ryan is no longer with the Firm of Cantor Colburn LLP.

Mr. Geiger seeks to enter an appearance as counsel for CQV for the purpose of presenting oral argument on behalf of CQV in this appeal. The Court has scheduled the oral argument for May 6, 2024. A proposed entry of appearance form is attached.

CQV has been provided with notice of this motion pursuant to Federal Circuit Rule 47.3(c). Counsel for Appellee Merck Patent GmbH (“Merck”) has stated that Merck does not oppose this motion.

Respectfully submitted,

Dated: April 4, 2024

By: /s/ Nicholas A. Geiger
Nicholas A. Geiger
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford, CT 06103
Tel.: (860) 286-2929
Fax.: (860) 286-0115
ngeiger@cantorcolburn.com

Counsel for Appellant CQV Co., LTD.

CERTIFICATE OF SERVICE

I certify that on April 4, 2024, I electronically filed the foregoing document using the Court's CM/ECF filing system. The following counsel of record for Appellee was electronically served by and through the Court's CM/ECF filing system per Fed. R. App. P. 25 and Fed. Cir. R. 25:

Joshua Griswold
Fish & Richardson P.C.
1717 Main Street
Suite 5000
Dallas, TX 75201
(214) 292-4034
Email: griswold@fr.com

John A. Dragseth
Fish & Richardson P.C.
60 South 6th Street
Suite 3200
Minneapolis, MN 55402
(612) 335-5070
Email: dragseth@fr.com

Alexander Michael Pechette
Fish & Richardson P.C.
One Marina Park Drive
Boston, MA 02210
(617) 368-2105
Email: pechette@fr.com

Dated: April 4, 2024

By: /s/ Nicholas A. Geiger
Nicholas A. Geiger
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford, CT 06103
Tel.: (860) 286-2929
Fax.: (860) 286-0115
ngeiger@cantorcolburn.com

Counsel for Appellant CQV Co., LTD.

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), the undersigned hereby certifies that this motion complies with the type-volume limitation of Federal Circuit Rule 32(a).

1. Exclusive of the exempted portions of the motion, as provided in Fed. R. App. P. 32(f) and Fed. Cir. R. 32(b), the motion contains 196 words.

2. The brief has been prepared in proportionally spaced typeface using Microsoft Word 2010 in 14-point Times New Roman font. As permitted by Fed. R. App. P. 32(g), the undersigned has relied upon the word count feature of this word processing system in preparing this certificate.

Dated: April 4, 2024

By: /s/ Nicholas A. Geiger
Nicholas A. Geiger
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford, CT 06103
Tel.: (860) 286-2929
Fax.: (860) 286-0115
ngeiger@cantorcolburn.com

Counsel for Appellant CQV Co., LTD.

FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 2023-1027

Short Case Caption CQV Co., Ltd. v. Merck Patent GmbH

Filing Party/Entity CQV Co., Ltd.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 04/04/2024

Signature: /s/ Nicholas A. Geiger

Name: Nicholas A. Geiger

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input checked="" type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input checked="" type="checkbox"/> None/Not Applicable
CQV Co., Ltd		

☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable

☐ Additional pages attached

Grant M. Ehrlich, Cantor Colburn LLP
20 Church Street, 22nd Floor, Hartford, CT 06103

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☐ Yes (file separate notice; see below) ☒ No ☐ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable

☐ Additional pages attached

ORM 8A. Entry of Appearance

orm 8A (p.1)
July 2020

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

ENTRY OF APPEARANCE

Case Number: 23-1027

Short Case Caption: CQV Co., Ltd. v. Merck Patent GmbH

Instructions: Refer to Fed. Cir. R. 47.3 for requirements governing representation and appearance in this court. Counsel must immediately file an amended Entry of Appearance if contact information changes and update information through PACER's [Manage My Account](#). Non-admitted government counsel should enter N/A in lieu of an admission date. Use the second page to add additional counsel.

Part Information. List all parties, intervenors, amicus curiae, or movants represented by below counsel; "et al." is not permitted.

CQV Co., Ltd.

Principal Counsel: Nicholas A. Geiger

Admission Date: 05/13/2015

Firm/Agency/Org.: Cantor Colburn LLP

Address: 20 Church Street, Hartford, CT 06103

Phone: 860-286-2929

Email: ngeiger@cantorcolburn.com

Other Counsel:

Admission Date:

Firm/Agency/Org.:

Address:

Phone:

Email:

I certify under penalty of perjury that (1) the submitted information is true and accurate and (2) I am authorized to enter an appearance by all other listed counsel.

Date: 04/04/2024

Signature: /s/ Nicholas A. Geiger

Name: Nicholas A. Geiger